CONNECTICUT LAW REVIEW

Index for Volume 26 1993-1994

THE UNIVERSITY OF CONNECTICUT SCHOOL OF LAW HARTFORD, CONNECTICUT COPYRIGHT 1994, CONNECTICUT LAW REVIEW



SUBJECT INDEX

ABORTION RIGHTS	
National Organization for Women v. Scheidler: RICO and the Economic Motive	
Requirement	1533
ADOPTION	
Afterword: Deconstructing Solomon's Dilemma	1525
Third Parties and the Third Sex: Child Custody and Lesbian Legal Theory	1377
ARBITRATION	
Arbitrability in Recent Federal Civil Rights Legislation: The Need for Amendment .	52
ARCHITECTURE	
Takings Jurisprudence Comes In From the Cold: Preserving Interiors Through	
Landmark Designation	110
BANKRUPTCY	
Turning and Turning in the Widening Gyre: The Problem of Potential Conflicts of	
Interest in Bankruptcy	91:
CIVIL PROCEDURE	
Some Realism About Empiricism	109
Third-Party Practice Under Connecticut's Product Liability Act	61
CIVIL RIGHTS	
Making a Record	26
Reply: "Real" Men and History	29
Some Realism About Empiricism	109
Spite Fences and Scholars: Why Race Is and Is Not Different	28
Water Buffalo and Diversity: Naming Names and Reclaiming the Racial Discourse .	20
CERCLA	
Trashing the Town and Making It Pay: The Problem with the Municipal Liability	
Scheme Under CERCLA	58
CONFLICTS OF INTEREST	
Turning and Turning in the Widening Gyre: The Problem of Potential Conflicts of	
Interest in Bankruptcy	91
CONSTITUTIONAL LAW	
An Analysis of Realistic Due Process Rights of Children Versus Parents	120
Balancing the Checklist: Connecticut's Legislative Response to Connecticut v. Doehr	72
The Claus von Bulow Case: Chutzpah and State Constitutional Law?	71
Cologne v. Westfarms Associates: A Blueprint for an Overruling	69
Davis v. Davis: What About Future Disputes?	30
Deviation and Autonomy: The Jurisprudence of Interpretation in State Constitutional	
Law	63
Freedom of the Press and the Connecticut Constitution	65
Getting the Stories Right: Reflections on Narrative Voice in State Constitutional	
Interpretation	67

Jailhouse Shock: Hudson v. McMillian and the Supreme Court's Flawed	
Interpretation of the Eighth Amendment	355
A "Modest" Proposal: State Licensing of Parents	1415
Original Penumbras: Constitutional Interpretation in the First Year of Congress	79
The Quest for the Common Good: Neutrality and Deliberative Democracy in	
Sunstein's Conception of American Constitutionalism	1039
The Rehnquist Court's Activism and the Risk of Injustice	53
Takings Jurisprudence Comes In From the Cold: Preserving Interiors Through	
Landmark Designation	1105
United States v. Alvarez-Machain: Waltzing with the Political Question Doctrine	759
CRIMINAL LAW	
The Rehnquist Court's Activism and the Risk of Injustice	53
CRITICAL RACE THEORY	
Making a Record	265
Reply: "Real" Men and History	297
Water Buffalo and Diversity: Naming Names and Reclaiming the Racial Discourse .	209
CUSTODY	
Afterword: Deconstructing Solomon's Dilemma	1525
An Analysis of Realistic Due Process Rights of Children Versus Parents	1209
A "Modest" Proposal: State Licensing of Parents	1415
The Purchase of Families into Foster Care: Two Case Studies and the Lessons They	
Teach	1453
Third Parties and the Third Sex: Child Custody and Lesbian Legal Theory	1377
DEATH PENALTY	
The Rehnquist Court's Activism and the Risk of Injustice	53
DISCRIMINATION	
Making a Record	265
Reply: "Real" Men and History	297
St. Mary's Honor Center v. Hicks: Questioning the Basic Assumption	997
Spite Fences and Scholars: Why Race Is and Is Not Different	285
Water Buffalo and Diversity: Naming Names and Reclaiming the Racial Discourse .	209
DUE PROCESS	
An Analysis of Realistic Due Process Rights of Children Versus Parents	1209
The Rehnquist Court's Activism and the Risk of Injustice	53
ECONOMICS	
Insider Trading as a Transactional Cost: A Market Microstructure Justification and	
Optimization of Insider Trading Regulation	1
EDUCATION	
A "Modest" Proposal: State Licensing of Parents	1415
The Suspectness of Wealth: Another Look at State Constitutional Adjudication of	
School Finance Inequalities	1139
EIGHTH AMENDMENT	
Jailhouse Shock: Hudson v. McMillian and the Supreme Court's Flawed	
Interpretation of the Eighth Amendment	355

1994]	INDEX	1579
1224)	nvoln.	1317

EMPLOYMENT DISCRIMINATION	
Arbitrability in Recent Federal Civil Rights Legislation: The Need for Amendment . Reinventing Reality: The Impermissible Intrusion of After-Acquired Evidence in Title	521
VII Litigation	145
St. Mary's Honor Center v. Hicks: Questioning the Basic Assumption	997
ENVIRONMENTAL LAW	
Trashing the Town and Making It Pay: The Problem with the Municipal Liability	
Scheme Under CERCLA	585
EQUAL PROTECTION	
Davis v. Davis: What About Future Disputes?	305
The Suspectness of Wealth: Another Look at State Constitutional Adjudication of	
School Finance Inequalities	1139
ETHICS	
Turning and Turning in the Widening Gyre: The Problem of Potential Conflicts of	
Interest in Bankruptcy	913
FAMILY LAW	
Afterword: Deconstructing Solomon's Dilemma	1525
An Analysis of Realistic Due Process Rights of Children Versus Parents	1209
Davis v. Davis: What About Future Disputes?	305
Grandparents, Parents and Grandchildren: Actualizing Interdependency in Law	1315
"If Black Is So Special, Then Why Isn't It in the Rainbow?"	1195
The "Intent" of Reproduction: Reproductive Technologies and the Parent-Child Bond	1261
A "Modest" Proposal: State Licensing of Parents	1415
On the "Consensus" to End Welfare: Where Are the Women's Voices?	843
The Purchase of Families into Foster Care: Two Case Studies and the Lessons They Teach	1453
Reducing Welfare's Stigma: Policies That Build Upon Commonalities Among	
Women	901
Third Parties and the Third Sex: Child Custody and Lesbian Legal Theory	1377
Two Years and You're Out	857
The Value of Black Mothers' Work	871
The Welfare of Single Mothers and Their Children	817
Welfare Reform in Historical Perspective	879
FIFTH AMENDMENT	
Takings Jurisprudence Comes In From the Cold: Preserving Interiors Through	
Landmark Designation	1105
FIRST AMENDMENT	
National Organization for Women v. Scheidler: RICO and the Economic Motive	
Requirement	1533
FRAUD	
Insider Trading as a Transactional Cost: A Market Microstructure Justification and	
Optimization of Insider Trading Regulation	1
HABEAS CORPUS	
The Balancia Court's Assistanced the Bish of Injustice	57

1377

671

79

HATE CRIMES

St. Mary's Honor Center v. Hicks: Questioning the Basic Assumption 997

HISTORIC PRESERVATION

HOMOSEXUALS

Third Parties and the Third Sex: Child Custody and Lesbian Legal Theory

IMMUNITY

INSIDER TRADING

JURISPRUDENCE

JUVENILE LAW

- - The "Intent" of Reproduction: Reproductive Technologies and the Parent-Child Bond 1261

LAW AND ECONOMICS

Insider Trading as a Transactional Cost: A Market Microstructure Justification and Optimization of Insider Trading Regulation

LABOR LAW

LEGAL EDUCATION

LEGAL HISTORY

Original Penumbras: Constitutional Interpretation in the First Year of Congress

1994) INDEX	1581
LESBIAN LEGAL THEORY	
Third Parties and the Third Sex: Child Custody and Lesbian Legal Theory	1377
LICENSING	
A "Modest" Proposal: State Licensing of Parents	1415
MATHEMATICAL MODELS	
Insider Trading as a Transactional Cost: A Market Microstructure Justification and Optimization of Insider Trading Regulation	1
MUNICIPALITIES	
Trashing the Town and Making It Pay: The Problem with the Municipal Liability	
Scheme Under CERCLA	585
PREJUDGMENT REMEDIES	
Balancing the Checklist: Connecticut's Legislative Response to Connecticut v. Doehr	721
PRIVACY	
Davis v. Davis: What About Future Disputes?	305
PRISONS	
Jailhouse Shock: Hudson v. McMillian and the Supreme Court's Flawed	
Interpretation of the Eighth Amendment	. 355
PRODUCT LIABILITY	
Third-Party Practice Under Connecticut's Product Liability Act	. 611
PROPERTY TAX	
The Suspectness of Wealth: Another Look at State Constitutional Adjudication of School Finance Inequalities	. 1139
RICO	
National Organization for Women v. Scheidler: RICO and the Economic Motive	
Requirement	. 1533
SCHOOLS	
The Suspectness of Wealth: Another Look at State Constitutional Adjudication of	
School Finance Inequalities	. 1139
SECURITIES LAW	
Insider Trading as a Transactional Cost: A Market Microstructure Justification and	
Optimization of Insider Trading Regulation	. 1
U.C.C. and the Effects of Violating a Fundamental Drafting Principle	. 397
SEPARATION OF POWERS	
United States v. Alvarez-Machain: Waltzing with the Political Question Doctrine	. 759
STATE CONSTITUTIONAL LAW	
The Claus von Bulow Case: Chutzpah and State Constitutional Law?	
Cologne v. Westfarms Associates: A Blueprint for an Overruling	

Law

635

Freedom of the Press and the Connecticut Constitution	659
Getting the Stories Right: Reflections on Narrative Voice in State Constitutional	
Interpretation	671
STATE COURTS	
The Suspectness of Wealth: Another Look at State Constitutional Adjudication of	
School Finance Inequalities	1139
Third-Party Practice Under Connecticut's Product Liability Act	611
TAKINGS CLAUSE	
Takings Jurisprudence Comes In From the Cold: Preserving Interiors Through	
Landmark Designation	1105
TECHNOLOGY	
The "Intent" of Reproduction: Reproductive Technologies and the Parent-Child Bond	1261
TITLE VII	
Arbitrability in Recent Federal Civil Rights Legislation: The Need for Amendment .	521
Reinventing Reality: The Impermissible Intrusion of After-Acquired Evidence in Title	
VII Litigation	145
St. Mary's Honor Center v. Hicks: Questioning the Basic Assumption	997
UNIFORM COMMERCIAL CODE	
Sacred Cows and Workhorses: The Sale of Accounts and Chattel Paper Under the	
U.C.C. and the Effects of Violating a Fundamental Drafting Principle	397
WELFARE REFORM	
On the "Consensus" to End Welfare: Where Are the Women's Voices?	843
Reducing Welfare's Stigma: Policies That Build Upon Commonalities Among	
Women	901
Two Years and You're Out	857
The Value of Black Mothers' Work	871
The Welfare of Single Mothers and Their Children	817

Welfare Reform in Historical Perspective

LEAD ARTICLES & COMMENTARY—By Author

AUTHOR	TITLE	PAGE
	*****	IAOL
Abrams, Dougals E.	Arbitrability in Recent Federal Civil Rights Legislation: The Need for Amendment	521
Bell, Derrick &		
Singer, Linda	Making a Record	265
Berdon, Hon. Robert I.	Freedom of the Press and the Connecticut Constitution	659
Calloway, Deborah A.	St. Mary's Honor Center v. Hicks: Questioning the	
	Basic Assumption	997
Carrington, Paul D.	Buffaloes and a Straw Man	295
Culp, Jerome McCristal, Jr.	Reply: "Real" Men and History	297
Culp, Jerome McCristal, Jr.	Water Buffalo and Diversity: Naming Names and	
	Reclaiming the Racial Discourse	209
Czapanskiy, Karen	Grandparents, Parents and Grandchildren: Actualizing	
	Interdependency in Law	1315
Dolgin, Janet L.	The "Intent" of Reproduction: Reproductive	
	Technologies and the Parent-Child Bond	1261
Eisenberg, Howard B.	A "Modest" Proposal: State Licensing of Parents	1415
Georgakopoulos, Nicholas L.	Insider Trading as a Transactional Cost: A Market	
	Microstructure Justification and Optimization of Insider	
	Trading Regulation	1
Greenfield, Kent	Original Penumbras: Constitutional Interpretation in the	
	First Year of Congress	79
Handler, Joel F.	Two Years and You're Out	857
Hartmann, Heidi	Reducing Welfare's Stigma: Policies That Build Upon	
Roberta Spalter-Roth	Commonalities Among Women	901
Kurtz, Madeleine L.	The Purchase of Families into Foster Care: Two Case	
	Studies and the Lessons They Teach	1453
Lipkin, Robert Justin	The Quest for the Common Good: Neutrality and	
	Deliberative Democracy in Sunstein's Conception of	
	American Constitutionalism	1039
McGinley, Ann C.	Reinventing Reality: The Impermissible Intrusion of	
	After-Acquired Evidence in Title VII Litigation	145

	-	0	
в	9	×	Œ.
×	,	O.	•

CONNECTICUT LAW REVIEW

[Vol. 26:1575

Margulies, Martin B.	Cologne v. Westfarms Associates: A Blueprint for an Overruling	691
Mink, Gwendolyn	Welfare Reform in Historical Perspective	879
Minow, Martha	The Welfare of Single Mothers and Their Children	817
Morawetz, Thomas	Deviation and Autonomy: The Jurisprudence of Interpretation in State Constitutional Law	635
O'Brien, Raymond C.	An Analysis of Realistic Due Process Rights of Children Versus Parents	1209
Plank, Thomas E.	Sacred Cows and Workhorses: The Sale of Accounts and Chattel Paper Under the U.C.C. and the Effects of Violating a Fundamental Drafting Principle	397
Rapoport, Nancy B.	Turning and Turning in the Widening Gyre: The Problem of Potential Conflicts of Interest in Bankruptcy	913
Roberts, Dorothy E.	The Value of Black Mothers' Work	871
Robson, Ruthann	Third Parties and the Third Sex: Child Custody and Lesbian Legal Theory	1377
Rotondo, James H. & Wellman, Philip S.	Third-Party Practice Under Connecticut's Product Liability Act	611
Rush, Sharon Elizabeth	"If Black Is So Special, Then Why Isn't It in the Rainbow?"	1195
Schaller, Hon. Barry R.	Getting the Stories Right: Reflections on Narrative Voice in State Constitutional Interpretation	671
Smith, Christopher E. & Jones, Avis Alexandria	The Rehnquist Court's Activism and the Risk of Injustice	53
Smith, G. Nelson, III	Trashing the Town and Making It Pay: The Problem with the Municipal Liability Scheme Under CERCLA .	585
Tobias, Carl	Some Realism About Empiricism	1093
Tushnet, Mark	Spite Fences and Scholars: Why Race Is and Is Not Different	285
White, Lucie E.	On the "Consensus" to End Welfare: Where Are the Women's Voices?	843
Williams, Robert F.	The Claus von Bulow Case: Chutzpah and State Constitutional Law?	711
Woodhouse, Barbara Bennett		1525

LEAD ARTICLES—By Title

TITLE	AUTHOR	PAGE
Afterword: Deconstructing Solomon's Dilemma	Woodhouse, Barbara Bennett .	1525
An Analysis of Realistic Due Process Rights of Children Versus Parents	O'Brien, Raymond C	1209
Arbitrability in Recent Federal Civil Rights Legislation: The Need for Amendment	Abrams, Dougals E	521
Grandparents, Parents and Grandchildren: Actualizing Interdependency in Law	Czapanskiy, Karen	1315
"If Black Is So Special, Then Why Isn't It in the Rainbow?"	Rush, Sharon Elizabeth	1195
Insider Trading as a Transactional Cost: A Market Microstructure Justification and Optimization of Insider Trading Regulation	Georgakopoulos, Nicholas L	1
The "Intent" of Reproduction: Reproductive Technologies and the Parent-Child Bond	Dolgin, Janet L	1261
A "Modest" Proposal: State Licensing of Parents	Eisenberg, Howard B	1415
Original Penumbras: Constitutional Interpretation in the First Year of Congress	Greenfield, Kent	79
The Purchase of Families into Foster Care: Two Case Studies and the Lessons They Teach	Kurtz, Madeleine L	1453
The Quest for the Common Good: Neutrality and Deliberative Democracy in Sunstein's Conception of American Constitutionalism	Lipkin, Robert Justin	1039
The Rehnquist Court's Activism and the Risk of Injustice	Smith, Christopher E. & Jones, Avis Alexandria	53
Reinventing Reality: The Impermissible Intrusion of After-Acquired Evidence in Title VII Litigation	McGinley, Ann C	145
Sacred Cows and Workhorses: The Sale of Accounts and Chattel Paper Under the U.C.C. and the	Die J. Theres F	200
Effects of Violating a Fundamental Drafting Principle		397
St. Mary's Honor Center v. Hicks: Questioning the Basic Assumption	Calloway, Deborah A	997
Some Bealism About Empirisism	Tobics Cod	1003

Third Parties and the Third Sex: Child Custody Robson, Ruthann and Lesbian Legal Theory 1377 Third-Party Practice Under Connecticut's Product Rotondo, James H. & Liability Act Wellman, Philip S. 611 Trashing the Town and Making It Pay: The Problem with the Municipal Liability Scheme Under CERCLA Smith, G. Nelson, III 585 Turning and Turning in the Widening Gyre: The Problem of Potential Conflicts of Interest in Bankruptcy Rapoport, Nancy B. The Welfare of Single Mothers and Their Children Minow, Martha

COMMENTARY—By Title

TITLE	AUTHOR	PAGE
Buffaloes and a Straw Man	Carrington, Paul D	295
The Claus von Bulow Case: Chutzpah and State Constitutional Law?	Williams, Robert F	711
Cologne v. Westfarms Associates: A Blueprint for an Overruling	Margulies, Martin B	691
Deviation and Autonomy: The Jurisprudence of Interpretation in State Constitutional Law	Morawetz, Thomas	635
Freedom of the Press and the Connecticut Constitution	Berdon, Hon. Robert I	659
Getting the Stories Right: Reflections on Narrative Voice in State Constitutional Interpretation	Schaller, Hon. Barry R	671
Making a Record	Bell, Derrick & Singer, Linda	265
On the "Consensus" to End Welfare: Where Are the Women's Voices?	White, Lucie E	843
Reducing Welfare's Stigma: Policies That Build Upon Commonalities Among Women	Hartmann, Heidi & Roberta Spalter-Roth	901
Reply: "Real" Men and History	Culp, Jerome McCristal, Jr	297
Spite Fences and Scholars: Why Race Is and Is Not Different	Tushnet, Mark	285
Two Years and You're Out	Handler, Joel F	857
The Value of Black Mothers' Work	Roberts, Dorothy E	871

1994]	INDEX	1587
Water Buffalo and Diversity: Namin and Reclaiming the Racial Discou	•	209
Welfare Reform in Historical Perspe	ective Mink, Gwendolyn	879
NOTES	AND COMMENTS—By Title	
TITLE	AUTHOR	PAGE
Balancing the Checklist: Connecticu	t's Legislative	
Response to Connecticut v. Doehr	Alquist, Elizabeth A	721
Davis v. Davis: What About Future	Disputes? Feliciano, Tanya	305
Jailhouse Shock: Hudson v. McMilli Supreme Court's Flawed Interpre		
Eighth Amendment	Phillips, John J	355
National Organization for Women v		
RICO and the Economic Motive	Requirement Bullock, Jennifer	1533
The Suspectness of Wealth: Another Constitutional Adjudication of Sci		
Inequalities	Fox, Kenneth	1139
Takings Jurisprudence Comes In Fr Preserving Interiors Through Lan		1105
United States v. Alvarez-Machain: V	Waltzing with the	

Gouin, Michelle D.

Political Question Doctrine